

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the amendments above and the remarks below.

Claims 13, 14 and 16-37 are pending in the application. Claims 13, 28, and 37 are amended herein. FIG. 3 is amended herein.

Applicant thanks the Examiner for the courtesy during a telephone interview conducted on August 12, 2004. As discussed during the interview, Applicant amends the claims as set forth above to clarify that the tines form an "interior" angle with the handle ranging from about 30 to about 60 degrees. It was agreed that this amendment distinguishes the invention over the Milbury reference. Accordingly, Applicant believes the claim amendments render the claim rejections moot.

The Claim Objections

Claim 13 is objected to on the bases of certain informalities. Applicant amends claim 13 in substantial conformity with the Examiner's suggested claim language. Accordingly, Applicant submits that the objection to Claim 13 should be removed.

The Objection to the Figures Under 37 C.F.R. §1.83(a)

The Examiner objects to the figures under 37 C.F.R. §1.83(a), stating "the 'angle between the handle and the truncated end surface of the tines ranging from about plus ten degrees to negative ten degrees' must be shown or the feature(s) canceled from the claim(s)."

Applicant has amended FIG. 3 herein to show the claimed angle according to the Examiner's objection. Accordingly, Applicant submits that the objection to the figures under 37 C.F.R. §1.83(a) should be removed. Applicant respectfully requests approval of the amended figure.

Appl. No. 10/092,082
Reply to Office Action of April 29, 2004

Docket No. BAMB-007AUS

The Examiner is respectfully invited to telephone the undersigning attorney if there are any questions regarding this Amendment or this application.

The Assistant Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 500845.

Dated: 30 Aug 04

Respectfully submitted,

DALY, CROWLEY & MOFFORD, LLP

By: Paul D. Durkee

Paul D. Durkee
Reg. No. 41,003
Attorney for Applicant(s)
275 Turnpike Street, Suite 101
Canton, MA 02021-2354
Tel.: (781) 401-9988, ext. 21
Fax: (781) 401-9966
pdd@dc-m.com

Q:\BAMB\007AUS (grading rake)\bamb-007aus resp to OA of 2004 04 29 working copy.doc

Appl. No. 10/092,082
Reply to Office Action of April 29, 2004

Docket No. BAMB-007AUS

Appendix:

Figure 3 shown as a Replacement Sheet(s) is attached.

Appl. No. 10/092,082
Reply to Office Action of April 29, 2004

Docket No. BAMB-007AUS

Amendments to the Drawings

The attached sheet of drawings includes changes to FIG. 3 marked in red. Upon approval by the Examiner in charge, a new formal figure will be filed.

